

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA

CHAPTER 7  
Bankruptcy No. 94-50779XS

In re:

CHARLES V. CHERRY,

Debtor.

-----  
DONALD H. MOLSTAD, Trustee,

Plaintiff,

vs.

MARV SMITH,

Defendant.

Adversary Proceeding No. 94-5078XS

U.S. BANKRUPTCY COURT X  
NORTHERN DISTRICT OF IOWA

AUG 09 1994

BARBARA A. EVERLY, CLERK

**JUDGMENT**

The issues of this proceeding having been duly considered by the Honorable William L. Edmonds, United States Bankruptcy Judge, and a decision having been reached without trial or hearing,

IT IS ORDERED AND ADJUDGED: that the trustee's motion for default judgment is granted. Plaintiff shall recover from defendant the sum of \$380.00 plus the costs of this action.

Vol. III  
Page 225



[Seal of the U.S. Bankruptcy Court]  
Date of Issuance: August 9, 1994

BARBARA A. EVERLY  
Clerk of Bankruptcy Court

By: *Larris Slagle*  
Deputy Clerk

UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF IOWA  
WESTERN DIVISION

U.S. BANKRUPTCY COURT X  
NORTHERN DISTRICT OF IOWA

AUG 09 1994

BARBARA A. EVERLY, CLERK

IN RE:


CHARLES V. CHERRY,	)	Chapter 7
	)	
Debtor.	)	Bankruptcy No. 94-50779XS
-----		
DONALD H. MOLSTAD, Trustee,	)	
	)	
Plaintiff,	)	Adversary No. 94-5078XS
	)	
vs.	)	
	)	
MARV SMITH,	)	
	)	
Defendant.	)	

ORDER RE: MOTION FOR DEFAULT JUDGMENT

On June 24, 1994, the trustee filed a complaint seeking to obtain a judgment against defendant Marv Smith for failure to turn over property of the estate. The trustee has certified that he served Smith with a copy of the summons and complaint on July 6, 1994. Smith has failed to plead or otherwise defend the complaint, and the time for doing so has expired. The court concludes that judgment should enter against Smith.

IT IS ORDERED that the trustee's motion for default judgment is granted. Judgment shall enter against Marv Smith for \$380.00 plus the costs of this action.

SO ORDERED ON THIS 9th DAY OF AUGUST, 1994.

  
William L. Edmonds, Chief Bankruptcy Judge

I certify that on 8-9-94 I mailed a copy of this order and a judgment by U. S. mail to: Marv Smith, Donald Molstad and U. S. Trustee. *B*

Cherry.957  
9/6/94 DHM

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF IOWA  
WESTERN DIVISION

FILED  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA

SEP - 8 1994

BARBARA A. EVERLY, CLERK

IN RE:

CHARLES V. CHERRY,  
  
Debtor.

CHAPTER 7  
BANKRUPTCY NO. 94-50779XS

---

DONALD H. MOLSTAD, TRUSTEE  
  
Plaintiff,

ADVERSARY NO. 94-5078XS

vs.


MARV SMITH,  
  
Defendant.

PARTIAL SATISFACTION

---

COMES NOW, the Trustee, Donald H. Molstad, and hereby  
files a partial satisfaction in the amount of \$380.00 in the  
above judgment.

Dated this 7<sup>th</sup> day of September, 1994.

  
\_\_\_\_\_  
Donald H. Molstad (3755)  
Molstad Law Firm  
224 Davidson Bldg.  
Sioux City, Iowa 51101  
(712) 255-8036


TRUSTEE

Entered  
page 225  
Vol. III

CERTIFICATE OF SERVICE

The undersigned hereby certifies under penalty of perjury that true copies of the foregoing document were served upon all parties as required by Local Rule 19, Bankruptcy Rules of Procedure 9014 and 7004, by enclosing the same in an envelope addressed to each person at his respective address as disclosed by the pleadings of record herein, with first class postage fully paid and by depositing said envelope in the United States Post Office Depository in Sioux City, Iowa.

All those receiving the foregoing service are listed hereinafter with the address at which he or they were served and such service was made on the 7<sup>th</sup> day of September, 1994.

  
Donald H. Molstad (3755)

COPY TO:

Office of U.S. Trustee  
Law Building, Suite 400  
225 2nd Street S.E.  
Cedar Rapids, IA 52401

Marv Smith  
Hwy 18 East  
P.O. Box 7244  
Spencer, IA 51301-7244

Cherry.994  
11/30/94 DHM

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF IOWA  
WESTERN DIVISION

FILED  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA  
DEC 2 1994

BARBARA A. EVERLY, CLERK

IN RE:

CHARLES V. CHERRY,

Debtor.

CHAPTER 7

BANKRUPTCY NO. 94-50779XS

DONALD H. MOLSTAD, TRUSTEE

ADVERSARY NO. 94-5078XS

Plaintiff,

vs.


MARV SMITH,

FULL SATISFACTION

Defendant.

COMES NOW, the Trustee, Donald H. Molstad, and hereby  
files a full satisfaction of the judgment that was entered in the  
above captioned case on August 9, 1994.

Dated this 1 day of Dec, 1994.

  
Donald H. Molstad (3755)  
Molstad Law Firm  
505 6th St., Suite 224  
Sioux City, Iowa 51101  
(712) 255-8036

TRUSTEE

Copy returned  
12-5-94 rmg

Recorded  
Vol. III  
Page 525

CERTIFICATE OF SERVICE

The undersigned hereby certifies under penalty of perjury that true copies of the foregoing document were served upon all parties as required by Local Rule 19, Bankruptcy Rules of Procedure 9014 and 7004, by enclosing the same in an envelope addressed to each person at his respective address as disclosed by the pleadings of record herein, with first class postage fully paid and by depositing said envelope in the United States Post Office Depository in Sioux City, Iowa.

All those receiving the foregoing service are listed hereinafter with the address at which he or they were served and such service was made on the 1 day of December, 1994.

  
\_\_\_\_\_  
Donald H. Molstad (3755)

COPY TO:

Office of U.S. Trustee  
Law Building, Suite 400  
225 2nd Street S.E.  
Cedar Rapids, IA 52401

Marv Smith  
Hwy 18 East  
P.O. Box 7244  
Spencer, IA 51301-7244